

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**TONY D. WALKER,
Plaintiff,**

v.

Case No. 12-CV-01152

**WISCONSIN DEPARTMENT OF CORRECTIONS,
GARY HAMBLIN, CHARLES COLE,
CATHY JESS, LARRY JENKINS,
CHARLES FACKTOR, JAMES R. SCHWOCHERT,
MARC W. CLEMENTS, RICHARD W. PHILLIPS,
KAREN LARSEN, RICK A. RASMUSSEN,
SGT. D. GRAHN, MICHAEL BAENEN,
SARAH COOPER, PETER ERICKSON,
CAPTAIN DELVAUX, CAPTAIN SCHULTZ,
WILLIAM D. SWIEKATOWSKI, OFFICER WALTON,
OFFICER WALLACE, AMY BASTEN,
JESSICA LEGOIS, MICHAEL MOHR,
and CATHERINE FRANCOIS,
Defendants.**

ORDER

On April 1, 2013, I dismissed this action for failure to prosecute because plaintiff failed to timely file an amended complaint. Judgment was entered on the same day. Before the court is plaintiff's motion for extension of time to file an amended complaint and motion to vacate the judgment. Plaintiff asserts that he was unable to submit his amended complaint by the March 15, 2013 deadline because was placed in TLU status and had no control over his property. Plaintiff filed his proposed amended complaint on April 12, 2013.

Upon due consideration, I will grant both of plaintiff's motions and reopen this case. Johnson v. Chicago Bd. of Educ., ___ F.3d ___, 2013 WL 2475761, *1 (7th Cir. 2013). The

proposed amended complaint will be screened pursuant to 28 U.S.C. § 1915A in a subsequent order.

THEREFORE, IT IS ORDERED that plaintiff's motion for extension of time (Docket #15) is **GRANTED**.

IT IS FURTHER ORDERED that plaintiff's motion to vacate judgment (Docket #17) is **GRANTED**.

IT IS FURTHER ORDERED that the April 1, 2013 judgment is **VACATED** and that the Clerk of Court reopen this case.

Dated at Milwaukee, Wisconsin, this 15th day of July 2013.

s/ Lynn Adelman

LYNN ADELMAN
District Judge